

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

Suzanne Genereux, et al.

Plaintiff,

v.

Case No. 04-CV-12137 JLT

American Beryllia Corp., et al.

Defendants

**DEFENDANT, HARDRIC LABORATORIES'S, OBJECTION TO PLAINTIFF'S
MOTION FOR LEAVE TO FILE A LIMITED SUPPLEMENTAL BRIEF**

Now comes the Defendant, Hardric Laboratories, by and through its undersigned counsel, and hereby objects to the Plaintiff's Motion for Leave to File a Limited Supplemental Brief.

In support of this Objection, this Defendant states that the Plaintiff misrepresents the position of Defendant's counsel in the footnote beginning on page 3 of the Plaintiff's Motion, which states that "Counsel for American Beryllium, William F. Ahern, opposes the filing of this motion on the grounds that he, too, had additional issue (sic) that he wishes to raise. Counsel for Hardic Laboratories, Timothy C. Dietz, opposes on the same grounds."

Plaintiff misrepresents the position of Hardric Laboratories, and suggests in a roundabout way, by implication, that her motion should be granted on equity principles based on an intent by the Defendant, Hardric Laboratories, to likewise file a supplemental pleading.

To be clear, Hardric Laboratories opposes, without condition, the supplemental filing by the Plaintiff.

The Defendant reserves the right to join further objections that are expected to be filed by the other Defendants.

WHEREFORE, the Defendant, Hardric Laboratories, respectfully requests that the Plaintiff's motion to file a supplemental pleading related to the motions for summary judgment, be denied, and for such other and further relief this court deems just and proper.

The Defendant, Hardric Laboratories Inc.,

Dated: September 14, 2007

/s/ Timothy C. Dietz
By: Timothy C. Dietz, Esquire
Admitted Pro Hac Vice
Maine Bar No. 4014
Nadeau & Associates
1332 Post Road
Wells, ME 04090
(207) 646-4000

CERTIFICATE OF SERVICE

I hereby certify that I have caused to be served upon the Attorney of record for the other parties, this objection, by electronic filing on the above date.

/s/ Timothy C. Dietz
Timothy C. Dietz, Esquire